United Nations A/63/760

General Assembly

Distr.: General
12 March 2009

Original: English

Sixty-third session
Agenda item 118
Programme budget for the biennium 2008-2009

Letter dated 10 March 2009 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter addressed to you that contains the remarks of the Syrian Arab Republic on the logical framework for your Special Envoy for the implementation of Security Council resolution 1559 (2004) (see annex).

I would greatly appreciate it if these remarks were to be taken into consideration and the present letter and its annex circulated as a document of the General Assembly under agenda item 118.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

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Annex to the letter dated 10 March 2009 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

[Original: Arabic]

I should like to call attention to section XI, paragraph 4, of General Assembly resolution 63/263, dated 24 December 2008, in which the Assembly requested the Secretary-General to revise the narrative and the logical framework of the budget for the Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004), taking into account recent developments and the concerns raised by Member States, and to submit a report thereon to the General Assembly before the first part of its resumed sixty-third session.

On the instructions of my Government, and reaffirming the concerns expressed by the delegation of the Syrian Arab Republic during the discussion of the logical framework for the budget for the Secretary-General's Special Envoy for the implementation of Security Council resolution 1559 (2004) mentioned in document A/63/346/Add.1, which contains the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council, and reiterating the position of the Syrian Arab Republic in that regard, which was set forth in document A/61/894, dated 9 May 2007, I should like to bring to your attention the observations of the Syrian Arab Republic concerning the logical framework for that mission, which is proposed for review, in order to assist the Secretariat to avoid the errors that were made in the preparation of the above-mentioned document:

1. The logical framework for that mission, proposed for review, expands the mandate of the Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004) to include elements of the provisions of Security Council resolution 1701 (2006). Such expansion leads not only to the duplication of work in the United Nations Secretariat, as another Special Envoy of the Secretary-General concerned with implementation of resolution 1701 (2006) has been appointed, but also to a deviation from the fundamental goal of resolution 1701 (2006), which is the cessation of the Israeli aggression against Lebanon. In that connection, we should like to recall that, in paragraph 11 of its resolution 63/261, the General Assembly noted that the autonomous nature of each legislative mandate should be borne in mind in order to avoid duplication and overlap between special political missions.

2. Some indicators of achievement of the logical framework that is proposed for review go beyond the role of the Secretariat in a manner that is contrary to the commitments set forth in the Charter of the United Nations, particularly Article 2, paragraph 7, which prohibits any intervention by the Organization in matters that are within the domestic jurisdiction of any State. In that connection, we should like to note that, in paragraph 13 of its resolution 63/261, the General Assembly emphasized the importance of respecting the aforementioned provision of the Charter in view of the sensitivity of the mandates of special political missions. The issues of diplomatic relations and the demarcation of borders between the Syrian Arab Republic and Lebanon are bilateral matters bearing on the sovereignty of States and are to be resolved by agreement between the Syrian and Lebanese Governments. Moreover, Security Council resolution 1680 (2006) does

not establish any mandate that would require the Secretariat to take action in respect of bilateral relations between the Syrian Arab Republic and Lebanon, which fall exclusively within the competence of the two States, and thus outside the framework of Security Council resolution 1559 (2004) and outside the mandate of the Secretary-General's Special Envoy for the implementation of that resolution.

3. It is difficult to understand why the logical framework that is proposed for review should ignore Israel's ongoing occupation of parts of southern Lebanon, its continued breaches of Lebanese airspace and its threat to United Nations forces in southern Lebanon, despite the fact that they all constitute a threat to, and a genuine violation of, Lebanon's sovereignty, independence and territorial integrity and are therefore an ongoing violation by Israel of resolution 1559 (2004). General Assembly resolution 63/263, in section XI, paragraph 4, states that, when revising the narrative and the logical framework of the budget for the Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004), recent developments and the concerns raised by Member States should be taken into account. The only developments related to the aforementioned resolution since its adoption have been the occupation by Israeli forces of the northern part of the village of Ghajar and of a strip of land to the north of the Blue Line inside Lebanese territory. It is therefore necessary to include the withdrawal of foreign forces from Lebanon as an expected accomplishment in the logical framework, in accordance with paragraph 2 of Security Council resolution 1559 (2004).

4. The presentation of expected accomplishments and indicators of achievement in the logical framework that is proposed for review, and the linkage between them, are not in accordance with the arrangements and principles governing programme planning, the preparation of the programme budget, the monitoring of implementation and the methods of evaluation. Nor do they measure the performance of the Secretariat in implementing the programme, but rather the performance of individual States. This is at variance with resolution 55/231. We therefore emphasize paragraph 10 of resolution 63/261 in which the General Assembly requested the Secretary-General to present his future budget proposals in full compliance with its resolution 55/231. In that context, we stress what was affirmed by the General Assembly to the effect that paragraph 9 of resolution 55/231 must be complied with and that the expected accomplishments and indicators of achievement must measure the performance of the Organization in programme implementation and not the programmes of individual States.

5. In conclusion, the Syrian Arab Republic states that, by withdrawing its military forces and the related security apparatus, it has implemented all the obligations incumbent on it under resolution 1559 (2004) as of April 2005. The continued evocation of the name of the Syrian Arab Republic in the context of interpretations of resolution 1559 (2004) that are unacceptable under and not in keeping with the Charter of the United Nations impugns the neutrality of the international personnel responsible for the implementation of that resolution. In that connection, it should be noted that General Assembly resolution 63/261, paragraph 12, underscores the importance of ensuring the highest standards of integrity, competency, impartiality and professionalism in the appointment of special representatives and envoys of the Secretary-General.

The Syrian Arab Republic expects the United Nations Secretariat to review the logical framework for the budget of the Secretary-General's Special Envoy for the

implementation of Security Council resolution 1559 (2004) on the basis of the previously mentioned recent developments and the concerns that we have repeatedly expressed, in order to ensure that the narrative and logical framework conform in an objective and non-selective manner with the provisions and requirements of resolution 1559 (2004).